

DISTRIBUTION BILLS OF THE PROCEEDS OF PUBLIC LANDS,  
AND ELECTION OF REPRESENTATIVES.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

INFORMING

*The House of his not signing the above-mentioned bills, passed at the last session of Congress.*

DECEMBER 14, 1842.

Read, and laid upon the table.

*To the House of Representatives:*

Two bills were presented to me at the last session of Congress, which originated in the House of Representatives, neither of which was signed by me, and, both having been presented within ten days of the close of the session, neither has become a law.

The first of these was a bill entitled "An act to repeal the proviso of the sixth section of the act entitled 'An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights,' approved September fourth, one thousand eight hundred and forty-one."

This bill was presented to me on Tuesday, the 30th of August, at twenty-four minutes after four o'clock in the afternoon. For my opinions relative to the provisions contained in this bill, it is only necessary that I should refer to previous communications made by me to the House of Representatives.

The other bill was entitled "An act regulating the taking of testimony in cases of contested elections, and for other purposes." This bill was presented to me at a quarter past one o'clock, on Wednesday, the thirty-first day of August. The two Houses, by concurrent vote, had already agreed to terminate the session by adjournment at two o'clock on that day; that is to say, within three-quarters of an hour from the time the bill was placed in my hands. It was a bill containing twenty-seven sections, and I need not say of an important nature.

On its presentment to me, its reading was immediately commenced, but was interrupted by so many communications from the Senate, and so many other causes operating at the last hour of the session, that it was impossible to read the bill understandingly, and with proper deliberation, before the

hour fixed for the adjournment of the two Houses; and this, I presume, is a sufficient reason for neither signing the bill nor returning it with my objections.

The 17th joint rule of the two Houses of Congress declares that "no bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approbation on the last day of the session."

This rule was evidently designed to give to the President a reasonable opportunity of perusing important acts of Congress, and giving them some degree of consideration before signing or returning the same.

It is true that the two Houses have been in the habit of suspending this rule, towards the close of the session, in relation to particular bills; and it appears by the printed journal that, by concurrent votes of the two Houses, passed on the last day of the session, the rule was agreed to be suspended so far as the same should relate to all such bills as should have been passed by the two Houses at one o'clock on that day. It is exceedingly to be regretted that a necessity should ever exist for such suspension, in the case of bills of great importance, and therefore demanding careful consideration.

As the bill has failed, under the provisions of the Constitution, to become a law, I abstain from expressing any opinions upon its several provisions, keeping myself wholly uncommitted as to my ultimate action on any similar measure, should the House think proper to originate it *de novo*, except so far as my opinion of the unqualified power of each House to decide for itself upon the election returns and qualifications of its own members, has been expressed by me in a paper lodged in the Department of State at the time of signing an act entitled "An act for the apportionment of Representatives among the several States according to the sixth census, approved June twenty-second, eighteen hundred and forty-two," a copy of which is in possession of the House.

JOHN TYLER.

WASHINGTON, December 14, 1842.